

**ARIZONA DEPARTMENT OF HEALTH SERVICES
DIVISION OF ASSURANCE AND LICENSURE
OFFICE OF THE ASSISTANT DIRECTOR
SUBSTANTIVE POLICY STATEMENT # SP-019-ALS-OAD**

INTERPRETATION OF “HEALTH CARE INSTITUTION”

The purpose of this substantive policy statement is to notify the public of the Department’s interpretation of the definition of “health care institution,” contained in A.R.S. § 36-401(22), as related to renewal of a health care institution license under A.R.S. § 36-425 and A.A.C. R9-10-107.

A.R.S. § 36-401(22) states:

"Health care institution" means every place, institution, building or agency, whether organized for profit or not, which provides facilities with medical services, nursing services, health screening services, other health-related services, supervisory care services, personal care services or directed care services and includes home health agencies as defined in section 36-151 and hospice service agencies.

The Department interprets this definition to mean that in order to be a health care institution, a place, institution, building, or agency must be providing medical services, nursing services, health screening services, other health-related services, supervisory care services, personal care services, or directed care services. A place, institution, building, or agency that does not provide any of these services for an extended period of time ceases to be a health care institution, because it is no longer “provid[ing] facilities with medical services, nursing services, health screening services, other health-related services, supervisory care services, personal care services or directed care services” and thus no longer fits within the statutory definition of “health care institution.”

If the Department determines upon inspection for renewal of a health care institution’s license that a licensed “health care institution” has not provided medical services, nursing services, health screening services, other health-related services, supervisory care services, personal care services, or directed care services for 12 consecutive months preceding application for license renewal, the Department shall deny renewal of the health care institution license on the grounds that the place, institution, building, or agency is not a health care institution and thus is ineligible for licensure.

This substantive policy is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona administrative procedure act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under Arizona Revised Statutes section 41-1033 for a review of the statement.